[*Note.*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—PRIVILEGE MOTION *RE* ARREST OF THE HON. MEMBER SRI T. C. NARAYANAN NAMBIAR.

11-40 a.m. MR. SPEAKER :—" The hon. Member Sri K. P. Gopalan has given notice of a privilege motion. It reads as follows :—

' I request that the following matter may kindly be referred to a Committee of Privileges, as it constitutes a breach of privilege of this House :—

" Hon. Member Sri T. C. Narayanan Nambiar wanted to address a public meeting at Kodath, a village in Hosdrug sub-taluk, South Kanara district, to explain the provisions of the Malabar Tenancy Act, as passed by this House. In this area there were complaints and agitation, that the landlords were collecting rent from the tenants several times over the rates allowed by this Act. They were also propagating that the Malabar Tenancy Act was not valid for that area. It is with a view to counteract the illegal activities of the landlords, that Sri T. C. Narayanan Nambiar decided to address a public meeting at Kodath on 3rd January 1955. When Sri T. C. Narayanan Nambiar went to the place on the 3rd January 1955 he was prevented by the police from addressing the meeting. Again when he attempted to address the meeting at the same place on the 15th January 1955, he was molested and taken into custody. The police instead of protecting the right of a member to address the people to explain the provision of a law passed by this House, they have deliberately prevented him at the instance of the executive." '

" Hence this is a clear breach of privilege of this House.

" I must tell the House that as soon as the hon. Member, Sri T. C. Narayanan Nambiar, was arrested, it was communicated to me by Sri O. A. Muthusamy, District Superintendent of Police, South Kanara. The House must be aware of the fact that as soon as the member of this House is arrested, the Chair should be informed about it. So he has informed me about it. Since the hon. Member has been released, I did not inform the House about it. Only when he is under custody, I will have to bring it to the notice of this House. Since the matter has been raised as a matter of privilege, I will now read the letter received from the District Superintendent of Police, South Kanara, which is as follows :—

' On 3rd January 1955, the Tahsildar-Magistrate, Kasaragod, promulgated prohibitory orders under section 144, Criminal Procedure Code, preventing any party from holding meetings or public procession in Kodath village, Hosdrug sub-taluk, South Kanara district to be in force for fifteen days to prevent an imminent breach of peace. The same was duly published by tom-tom in and around Kodath, Hosdrug and Kottacheri villages.

2. On 14th January ' 1955 evening ' printed leaflets purporting to have been issued by the Kasaragod Taluk Communist Party, were distributed with heading " Defiance of law in Kodath village decided " ; announcing a public meeting to be held on 15th January 1955 at 3 p.m. at Vodeyenchal village, to be followed by another such public meeting the same day at 4 p.m. in Kodath village, in defiance of the section 144, Criminal Procedure Code, prohibitory orders, and that Sri T. C. Narayanan Nambiar, M.L.A., and Sri K. Madhavan will both address the public.

3. In my absence on other duty at Avadi, the Deputy Superintendent of Police, Puttur, South Kanara district, contacted the Communist Party leaders on 15th Janury 1955 morning at Hosdrug, and reminded them about the prohibitory order in force, and advised them to refrain from defying law and holding the announced meeting at Kodath. Their attitude was definitely to defy the prohibitory order, despite the advice of the Deputy Superintendent of Police to the contrary.

10th February 1955] [Mr. Speaker]

The Deputy Superintendent of Police then proceeded to Kodath village, with an A. R. party, the Judicial Sub-Magistrate and Sub-Inspector of Police, Hosdrug The people in Kodath village were against holding of such a meeting in the face of the section 144, Criminal Procedure Code, orders which if allowed would definitely result in a breach of peace.

4. By about 4 p.m. with Communist party flags and slogans Sri Narayanan Nambiar, M.L.A. and Sri Madavan reached Vodeyenchall village, and addressed the public till about 4-45 p.m. Then they proceeded to Kodath with their party flags shouting slogans 'Inquilabad Zindabad', 'Kisan Sangha Zindabad', 'Section 144 Ullangha', etc. When they reached the stream dividing Kodath village, Sri Narayanan Nambiar, M.L.A., followed by four others asked the followers to stay behind and entered the village. The Deputy Superintendent of Police reminded Sri Narayanan Nambiar when the latter immediately faced the crowd and spoke, that the order under section 144, Criminal Proceedure Code, was unlawful, unjust and that Sri Krishnan Nair and others assisted by the "Police watch dogs" were responsible for it. They turned round to get into the village further and refused to go back when they had to be placed under arrest at 4-45 p.m. and taken to Hosdrug Police Station, when a case under sections 143 and 188, Indian Penal Code, was registered in Crime No. 12 of 1955 and necessary action taken.

5. Sri T. C. Narayanan Nambiar is an M.L.A. from Malabar district. In as much as he had chosen to defy the order under section 144, Criminal Procedure Code, duly promulgated and in force and had to be arrested, this report is sent to the Hon. Speaker of the Assembly, for favour of information.' "

THE HON. SRI C. SUBRAMANIAM :—" May I request the Press through the Chair that since this matter is *sub judice* even this statement need not be published in the Press."

MR. SPEAKER :—" That means the House should sit *in camera*. If the House decides to sit *in camera*, I shall clear away the Galleries."

THE HON. SRI C. SUBRAMANIAM :—" The statement need not be published in the Press."

MR. SPEAKER :—" Our Press always co-operates with us. So they would not publish it."

SRI M. KALYANASUNDARAM :—" If I understand the Hon. the Leader of the House correctly, he has no objection for publishing the privilege motion but he objects only to the publication of the letter sent by the District Superintendent of Police."

THE HON. SRI C. SUBRAMANIAM :—" But once a motion is . . ."

MR. SPEAKER :—" If the House decides, we shall sit *in camera* and I shall send away the Press and the visitors also."

THE HON. SRI C. SUBRAMANIAM :—" Since it will cause inconvenience to all of us and as the matter is almost over, I think that it is not necessary to do so. I request that no reference be made to this matter in the Press."

MR. SPEAKER :—" That means the whole matter."

[10th February 1955

11-50 a.m. **SRI M. KALYANASUNDARAM** :—" கனம் சபாநாயகர் அவர்களே, இந்தப் பிரேரணை, அதன் மீது தாங்கள் கொடுக்கக் கூடிய அபிப்பிராயம் எதையுமே பிரசுரிக்கக் கூடாதென்று சொன்னால் பிறகு இந்த பிரேரணையைக்கொண்டு வந்ததற்கே அவசியம் இல்லாமல் போய்விடும். இந்த நடவடிக்கைகளைப் பிரசுரிக்கும்போது, ஜில்லா போலீஸ் சூப்பிரண்டண்டு எழுதி இருக்கக் கூடிய கடிதத்தை பிரசுரித்தால் அது கோர்ட்டின் முன்னால் இருக்கிறது. இது சம்பந்தப்பட்ட கேஸை விசாரணை செய்வதற்கு இடையூறாக இருக்குமென்று சொல்வதையும், ஆகவே அந்தக் கடிதத்தைப் பிரசுரிக்கக் கூடாதென்று சொல்வதையும் நான் ஒப்புக் கொள்ளுகிறேன். ஆனால் உரிமைப் பிரேரணையையும், அதன் மீது அங்கத்தினர்கள் சொல்லும் அபிப்பிராயங்களையும், கடைசியில் தாங்கள் கொடுக்கும் முடிவையும்கூடப் பிரசுரிக்கக் கூடாதென்று சொல்வதை என்னால் ஒப்புக் கொள்ள முடியாது. பிரசுரிக்கக் கூடாதென்று சொன்னால் இந்தச் சபையில் அந்தத் தீர்மானத்தை கொண்டுவந்து விவாதிப்பதற்கே அவசியம் இல்லாமல் போய்விடும்."

MR. SPEAKER :—" The motion will be published in the proceedings."

THE HON. SRI C. SUBRAMANIAM :—" கனம் எதிர்க்கட்சி உபதலைவருக்கு நான் சொல்லிக் கொள்ள விரும்புவது என்னவென்றால், உரிமைப் பிரேரணைகளையோ, அல்லது இதர தீர்மானங்களையோ இந்த சபையில் கொண்டு வருவதன் நோக்கம் சபை அங்கத்தினர்களுக்கும் சர்க்காருக்கும் அவற்றைப் பற்றி தெரிவிப்பதற்காகவே தவிர, வெளியே பத்திரிகையில் பிரசுரம் ஆகவேண்டுமென்பதற்காக அல்ல. அந்த விஷயங்கள் வெளிப் பத்திரிகையில் பிரசுரமாகவில்லையென்று சொன்னால் அவற்றை இந்தச் சபையில் கொண்டுவந்து விவாதிப்பதற்கே அவசியம் இல்லையென்று சொல்வது இந்தச் சபையை அகௌரவப்படுத்துவதாகும். ஆகவே அம்மாதிரி அவர் சொன்னதை வாபஸ் வாங்கிக் கொள்ளவேண்டும். மேலும் இது சம்பந்தப்பட்ட கேஸ் கோர்ட்டின் முன் இருப்பதால் இது பற்றிய விஷயம் எதுவுமே பத்திரிகையில் வராமல் இருப்பதே நியாயமாகும்."

* **SRI M. KALYANASUNDARAM** :—" கனம் சபாநாயகர் அவர்களே, சர்க்கார் கட்சித் தலைவர் சொல்வதை ஒப்புக் கொண்டால் தான் சபையை அகௌரவப் படுத்துவதாக ஆகும். நான் சபைக்குப் பூர்ண கௌரவம் கொடுக்க வேண்டுமென்றே விரும்புகிறேன். இந்தச் சபையில் நடக்கும் வாதப் பிரதிவாதங்கள் பூராவையும் மக்கள் அறிந்து கொள்வதற்குப் பூர்ண உரிமை உண்டு. ஆகவே இந்த உரிமைப் பிரேரணையைப் பற்றி விவாதிக்கக் கூடிய விஷயங்கள் யாவும் பொது மக்களுக்கு தெரியும் வகையில் பத்திரிகையில் வரவேண்டுமென்பதே எங்களுடைய அபிப்பிராயம். இது விஷயம் கோர்ட்டின் முன் இருப்பதால் இது பற்றி " ஜில்லா போலீஸ் சூப்பிரண்டு ", எழுதிய கடிதத்தைப் பிரசுரிக்கக் கூடாதென்று சொல்வதை மாத்திரம் நான் ஒப்புக் கொள்ளுகிறேன்."

MR. SPEAKER :—" Let a motion be moved ' that the House shall sit *in camera* ' and I shall put it to the vote of the House. I think that is a much better thing."

THE HON. SRI C. SUBRAMANIAM :—" That is a better thing."

SRI S. PANCHAKSHARAM :—" I suggest a postponement of the subject because the matter is *sub judice* and it can be taken up on a particular date when the case is over."

10th February 1955]

MR. SPEAKER :—" If it is a privilege motion, we can sit *in camera.*" 12 noon.

THE HON. SRI C. SUBRAMANIAM :—" Let us sit *in camera.* I move—

'*That the House shall sit* in camera.' "

MR. SPEAKER :—" Motion moved—

'That the House shall sit *in camera.*' "

SRI M. KALYANASUNDARAM :—" I oppose it, Sir."

MR. SPEAKER :—" The question is—

'That the House shall sit *in camera.*' "

The motion was put and declared carried.

A poll was demanded and the House divided thus :

Ayes—88.

The Hon. Sri K. Kamaraj Nadar.
,, C. Subramaniam.
,, A. B. Shetty.
,, M. A. Manickavelu Naicker.
,, Raja Sri Shanmuga Rajeswara Sethupathi.
,, B. Parameswaran.
,, S. S. Ramasamy Padayachi.
Sri K. Rajaram Naidu.
,, C. Rajam Ramasami.
,, B. Bakthatsalu Naidu.
,, Raja Muthiah Chettiar of Chettinad.
,, P. G. Karutiruman.
,, B. K Nallaswami.
,, N. Mahalingam.
,, P. K. Thirumurthy.
,, R. Kuppuswamy.
,, S. R. Arumugam.
,, P. S. Rangasamy Naidu.
,, P. G. Manickam.
,, N. Ramakrishna Ayyar.
Dr. U. Krishna Rao.
Sri O. Venkatasubba Reddi.
,, T. P. Elumalai.
,, V. K. Ramaswami Mudaliar.
,, R. A. Nataraja Mudaliar.
,, S. Panchaksharam.
,, H. M. Jagannathan.
,, A. K. Masilamani Chettiar.
,, K. G. Munuswamy Gounder.
,, R. Thangavelu.
,, A. Ramachandra Reddiar.
,, M. P. Periaswamy.
,, A. Sambasivam.
,, P. M. Munuswamy Gounder.
,, O. A. Nanjappa.
,, T. M Kaliannan.
,, V. S. Chinnaswamy Naidu.
,, V. S. Sivaprakasam.
,, A. Ayyanar.
,, V. Muthu.
,, V. Chinnayya.
,, T. V. Sannasi.
,, R. M. Palaniappan.
Sri A. Ramasamy Thevar.
,, S. Arumugam Pillai.
,, G. Narayanaswami Naidu.
,, L. Anandan.
,, K. Parthasarathy.
,, M. Jagannathan.
,, P. S. Krishnasamy Ayyangar.
,, G. Govindan.
,, AR. A. RM. Chokkalingam Chettiar.
,, M. Kandaswamy Padayachi.
,, P. Chellathurai.
,, P. Urkavalan.
,, T. Ganapathy.
,, A. Vaikuntam.
,, R. S. Arumugam.
,, V. Arumugam.
,, P. Selvaraj.
,, M. Chinnathambi Thevar.
,, Manjaya Shetty.
,, K. Ishwara.
,, K. P. Kuttikrishnan Nair.
,, T. Ananta Pai.
,, K. H. Bomman.
,, N. C. Ramasamy Kander.
,, V. K. Kannan.
,, G. Samia Koorayar.
,, V. R. Nagarajan.
,, E. K. Sankara Varma Raja.
,, K. Aranganathan.
,, M. Venugopala Gounder.
,, A. Appu.
,, A. Muthuswami.
,, M. Kattimuthu.
,, M. Muni Reddy.
,, T. Manavalan.
,, S. Radhakrishnan.
,, K. Uppi.
,, K M. Seethi Sahib.
,, M. Palanimuthu.
,, M. Chadayan.
,, K. Kunhi Mohamed Shafee.
,, K. R. Viswanathan.
,, V. Balakrishnan.
,, M. Dharamalingam,
,, V. Govindaswami Naidu.

Noes—23.

Sri D. Dasarathan.
,, A. Ratnam.
,, M. Palaniyandi.
,, M. Kalyanasundaram.
,, K. P. Gopalan.
,, T. C. Narayanan Nambiar.
,, C. Kandasami.
,, K. T. Raju.
,, S. Ramalingam.
,, S. Vadivelu.
,, K. C. Gopalan Unni.
,, V. Madanagopal.
Sri P. K. Gopalakrishnan,
,, N. Sivaraj.
,, A. K. Subbiah.
,, K. V. Ramasamy.
,, T. S. Ardhanari.
,, P. Venkatesha Sholagar.
,, K. Madhavan Nambiar.
,, E. T. Kunhan.
,, R. Krishnan.
,, P. Chokkalingam.
,, M. Manickasundaram.

Neutral—25.

Dr. K. B. Menon.
Sri M. Narayana Kurup.
,, K. T. Sridharan.
,, S. S. Kolkebail.
,, K. R. Nallasivam.
,, C. Kunhirama Kurup.
,, V. Sankaranarayana Menon.
,, M. Narayanan Nambiar.
,, S. Pakkirisami Pillay.
,, N. Paramasiva Udayar.
,, O. Koran.
,, K. Moidu.
,, C. Velukkan.
Sri S. Swayamprakasam.
,, V. Gopala Gounder.
,, N. Rathina Gounder.
,, M. P. Subramaniam.
,, K. R. Sambandam.
,, P. Rangasamy Reddiar.
,, T. Shunmugam.
,, A. Govindaswamy Nayagar.
,, A K Hanumantharaya Gounder.
,, S. P. Thangavelu.
,, M. Kandaswami Kander.
,, A. Veloo.

Ayes—88; Noes—23; Neutral—25.

The motion was declared carried.

Whereupon the Hon. the Speaker, in pursuance of the above resolution of the House, ordered all strangers including those in the Press and Council Members galleries to withdraw and strangers withdrew accordingly.

The remainder of the discussion on the question of privilege was in secret session*

12-25 p.m. At this stage, the secret session having ended, the Press representatives and visitors were allowed to re-enter the Chamber.

III.—MOTION UNDER RULE 40 *RE* CLOSURE OF THE THAKKAR BABA VIDYALAYA HOSTEL, MADRAS.

MR. SPEAKER :—" Sri M. Kalyanasundaram has given notice of a motion under rule 40. It is an important rule and this is the first time we are going to use it. I want to brush up not only my memory but also the memory of hon. Members. The rule reads as follows :—

' 40. (1) A member may, after questions, and with the previous permission of the Speaker, call the attention of a Minister to any matter of urgent public importance and the Minister may then make a brief statement on the matter or ask for time to make a statement later.

(2) There shall be no debate on such statement at the time it is made.

---

* Portions regarding secret session separately published.

TAMIL NADU LEGISLATIVE ASSEMBLY TRUTH ALONE TRIUMPHS